



STATE OF NEW MEXICO  
**MAGGIE TOULOUSE OLIVER**  
SECRETARY OF STATE

March 23, 2022

**SENT BY EMAIL ONLY**

Anne Kelly, Chief Deputy Attorney General  
New Mexico Office of the Attorney General  
Email: [akelly@nmag.gov](mailto:akelly@nmag.gov)

**Re: Potential Criminal Use Violation of Voter Data**

Ms. Kelly:

The SOS is referring a criminal matter for investigation and prosecution related to the illegal use of voter data information pursuant to NMSA 1978, Section 1-4-5.6. It has come to our attention that Erin Clements, a New Mexico resident, is using voter data to unofficially “canvass” Otero County’s voters regarding their participation the 2020 General Election. This process includes going door-to-door and asking a series of probing questions regarding residency, voting history, and method of voting, while representing themselves as doing so as a representative of the Otero County Commission. Ms. Clements has not received voter data from a New Mexico election administrator through the required statutory process. We believe the voter data being used was obtained outside of the required process and is continually being misrepresented as having been received from our office. This voter data information is being used against New Mexico state law, and swift action is needed as the unauthorized use of voter data both undermines voter confidence in the electoral process and spreads misinformation about election integrity.

**Facts**

On January 13, 2022, the Otero County Commission voted to enter a contract with EchoMail, Inc., of Massachusetts, to perform a “forensic audit” of the 2020 General Election in Otero



County. (**Exhibit A**, EchoMail Contract). Included in this contract is a section which reads “**Full Voter Registration Canvass** – Perform door-to-door canvass of Otero County voter registration database to determine accuracy of voter registration database. Canvass will be staffed by volunteers under the direction of New Mexico Audit Force (‘Volunteers’) with guidance from EchoMail.”. Beginning on or around November 18, 2021, Erin Clements has represented herself as a leader of New Mexico Audit Force (**Exhibit B**, 11-18-2021 Otero County Commission Meeting Minutes, pg. 6). Voter data is maintained by SOS pursuant to NMSA 1978, Section 1-5-3(B), and is only released to authorized individuals or organizations who complete and submit a Voter Data Request Form, (**Exhibit C**, Voter Data Request Form) including the affidavit regarding authorized use prescribed by NMSA 1978, Section 1-4-5.5(C). SOS has provided neither Erin Clements nor New Mexico Audit Force with any voter data information, nor has either entity requested voter data information from SOS. The information provided by an authorized Voter Data Request Form includes the names, addresses, birth years, party affiliations, precinct assignment jurisdictions, and registrant IDs of registered voters, along with the option of including districts, voting history, and method voted. We are aware of a request made to the Otero County Clerk, which did not meet the legal requirements and was therefore denied. There is no other legal means by which Erin Clements or New Mexico Audit Force could obtain this information, which would be necessary to perform a door-to-door canvass in the way it is currently being conducted. An email exchange between Erin Clements and Nicole Maxwell, a reporter for the Alamogordo Daily News, (**Exhibit D**, Email Exchange) shows Erin Clements responding to a question about where the list of voters New Mexico Audit Force is using for the canvass came from by directing Nicole Maxwell to [www.voteref.com](http://www.voteref.com). SOS referred the potential criminal transfer and use of voter data by [www.voteref.com](http://www.voteref.com) to AOG on December 20, 2021. When pressed as to the source of the voter data she is using for the canvass, Erin Clements claims to have received the voter data directly from SOS.

### **Criminal Violations**

Pursuant to NMSA 1978, Section 1-4-5.5 (C): Each requester of voter data, mailing labels or special voter lists shall sign an affidavit that the voter data, mailing labels and special voter lists shall be used for governmental or election and election campaign purposes only and shall not be





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made available or used for unlawful purposes. Erin Clements is using voter data, obtained most likely through the criminal distribution of a third party, to conduct the New Mexico Audit Force canvassing activities. She was never directly provided voter data by SOS and never signed an affidavit as prescribed by law.

Pursuant to NMSA 1978, Section 1-4-5.6(B), any person, organization or corporation or agent, officer, representative or employee thereof who commits unlawful use of voter data, mailing labels or special voter lists is guilty of a fourth-degree felony and upon conviction shall be fined one hundred dollars (\$100) for each and every line of voter information that was unlawfully used. Unlawful use of voter data, mailing labels or special voter lists consists of the knowing and willful use of such information for purposes prohibited by the Voter Records System Act [Chapter 1, Article 5 NMSA 1978]. § 1-4-5.6(C).

### **Conclusion**

Our office believes that the use of voter data information absent a signed affidavit or contrary to legally permitted uses is in direct violation of the Election Code. Regardless of how she obtained it, Erin Clements is illegally using voter data information to conduct canvassing activities in Otero County, and without a properly authorized affidavit, cannot claim to have any legal authority to utilize this data for any purpose. If you need anything further from our office, please do not hesitate to contact us.

Respectfully,

A handwritten signature in black ink, appearing to read "Sharon Pino".

Sharon Pino  
Deputy Secretary of State

Encl:

**Exhibit A**, EchoMail Contract

**Exhibit B**, 11-18-2021 Otero County Commission

**Exhibit C**, Voter Data Request Form

**Exhibit D**, Email Exchange



December 29, 2021

V.A. Shiva Ayyadurai, PhD  
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Cambridge, MA 02138  
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Gerald Matherly, Couy Griffin, and Vickie Marquardt  
Commissioners for Otero County Commission  
101 New York Avenue  
Alamogordo, NM 88310

**RE: Otero County Audit of 2020 Election**

Dear Honorable Commissioners:

EchoMail, Inc. ("ECHOMAIL") is pleased to serve Otero County, ("CUSTOMER") in the auditing of the November 2020 General Election ("Election"). Per our understanding, ECHOMAIL will be serve as the prime contractor and be responsible for the deployment of the EchoMail® Election Systems Integrity™ (ESI) platform to perform the audit for the Election. Based on our review of the requirements, EchoMail will provide the following:

- (1) **Integrated Data Warehouse** - Creation of an integrated data warehouse that will include such data as following: County's Voter Rolls, Participating Voter List, Cast Vote Records (CVRs), Images of the Return Ballot Envelopes, Ballot Images (from the Election Management System – EMS), Paper Ballot Scans, Door-to-Door Canvass data. Ref. Schedule A.
- (2) **Data Analytics** – Data analysis will include evaluation of registrations and votes cast at the precinct level and by vote type.
- (3) **Processing of Ballot Images** - Employ EchoMail to analyze approximately up to 25,000 Ballot Images. The Ballot Images are defined to be those images that are produced from the scanning of paper ballots by the County during the Election from their election management system ("EMS") . EchoMail will perform image analysis of the Ballot Images to calculate the vote counts for the Races. These vote counts will be compared with the Cast Vote Records ("CVR"). A formal report will be submitted of the findings. Ref. Schedule B.
- (4) **Paper Ballot Scan Comparison with Ballot Images** – Perform image analysis of the Paper Ballot Scans to calculate the vote counts for the Races (Paper Ballot Scans are the images generated by the scanning of the paper ballots). These vote counts will be compared with the Cast Vote Records ("CVR"). EchoMail will perform Image processing to determine the paired Paper Ballot Scan with its Ballot Image, and then evaluate if the vote counts across the pair are the same; and if not, will denote the discrepancies. A formal report will be submitted of the findings. Ref. Schedule C.
- (5) **Return Ballot Envelope Signature Presence Detection** - Perform EchoMail® Pattern Recognition Classification to determine presence of Blanks, Scribbles, and Signature on Return Ballot Envelope Images. A formal report will be submitted of the findings. Ref. Schedule D.



- (6) **Return Ballot Envelope Signature Verification Error Determination** - Perform an independent calculation of the error rates of the Count's Signature Verification by employing EchoMail® Pattern Recognition Classification capabilities to determine how many of the signatures on unique EVB return envelopes would be classified as "Good Signatures" or "Bad Signatures" before any curing process is executed. Ref. Schedule E.
- (7) **Full Voter Registration Canvass** - Perform door-to-door canvass of Otero County voter registration database to determine accuracy of voter registration database. Canvass will be staffed by volunteers under the direction of New Mexico Audit Force ("Volunteers") with guidance from EchoMail.

Total investment for this effort from Otero County will be \$49,750 as outlined in Schedule A. The County will not be liable for payment or portions of payments of line items in Schedule A in the event certain items cannot be obtained. The Payment Schedule is as follows:

<b><u>Timing</u></b>		<b><u>Amount</u></b>
Upon execution of this letter and Master Agreement and Schedule A	-	\$24,875.00
February 1, 2022	-	\$24,875.00
Note: Schedules B through E will be funded by EchoMail's partners.		

Sincerely,

Dr. Shiva Ayyadurai  
President/CEO  
EchoMail, Inc.

Encl: Master Agreement  
Schedules A-E





### SCHEDULE A

**Customer Name:** Otero County Commission (“CUSTOMER”)  
**Customer Address:** 101 New York Avenue, Alamogordo, NM 88310  
**Effective Term:** January 1, 2022 – May 1, 2022  
**County:** Otero County (“County”)  
**Election:** 2020 General Election (“Election”)

**Title:** Integrated Data Warehouse and Analytics

#### Statement of Work

- (1) **Integrated Data Warehouse** - Creation of an integrated data warehouse that will include such data as following: County’s Voter Rolls, Participating Voter List, Cast Vote Records (CVRs), Images of the Return Ballot Envelopes, Ballot Images (from the Election Management System – EMS), Paper Ballot Scans, Door-to-Door Canvass data.
- (2) **Data Analytics** – Data analysis will include evaluation of registrations and votes cast at the precinct level and by vote type.

#### Pricing Schedule

Part Number	Part Description	Units	Unit Cost	One-Time	Recurring
	<b>Professional Services</b>				
EM-PS-PROJ-PLAN	Project Planning	1	\$ 3,000.00	\$ 3,000.00	\$ 0.00
EM-DW-100EPU - SETUP	Integrated EchoMail® DataWarehouse	1	\$ 12,500.00	\$ 12,500.00	\$ 0.00
EXT-FORENSICS	Hardware Forensics	1	\$ 14,500.00	\$ 14,500.00	\$ 0.00
EM-ANALYTICS	Data Analytics and Reporting	1	\$ 7,500.00	\$ 7,500.00	\$ 0.00
			<b>Sub-Total</b>	<b>\$ 37,500.00</b>	<b>\$ 0.00</b>
	<b>Licenses</b>				
EM-DW-LICENSE	EchoMail® DataWarehouse	1	\$ 12,250.00	\$ 12,250.00	\$ 0.00
			<b>Sub-Total</b>	<b>\$ 12,250.00</b>	<b>\$ 0.00</b>
			<b>NET-Total</b>	<b>\$ 49,750.00</b>	<b>\$ 0.00</b>

#### Other Terms:

Additional charges shall apply at the Unit Price set forth above in the event that quantity of use of the foregoing licensed Software and Services exceeds purchased amounts hereunder. Such additional charges shall be billed to the CUSTOMER on monthly basis. ECHOMAIL shall issue no credits to CUSTOMER for any licenses not used by CUSTOMER On the expiration date, and unused licenses may not be carried over into subsequent periods.

In the event CUSTOMER requests ECHOMAIL with prior written confirmation to ECHOMAIL to take specific actions, for example travel for onsite training or strategy meeting, shipping data on physical media such as tapes or disks etc., costs of shipping, telecommunications, mailing, traveling and out-of-pocket expenses incurred by EchoMail, Inc. in the performance of such actions are not included herein, and will be billed directly to CUSTOMER on a monthly basis.



This Schedule is governed by the EchoMail Software & Services Licensing Agreement. If there is any conflict between this Schedule and the EchoMail Software & Services Licensing Agreement, all terms of the EchoMail Software & Services Licensing Agreement shall control, except payment terms. Payment is due prior to start of work and use of Software and Services. Both parties agree to the foregoing as of this \_\_\_\_ day of \_\_\_\_\_ in the year of 2022, and to execute their performance obligations as set forth herein.

ECHOMAIL Authorized Representative

CUSTOMER Authorized Representative

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_





## SCHEDULE B

**Effective Term:** January 1, 2022 – May 1, 2022

**County:** Otero County (“County”)

**Election:** 2020 General Election (“Election”)

**Est. Number of Voters:** 25,000 +/- 10%

**Number of Races:** All Races in Otero County (“Races”)

**Number of Ballot Types:** TBD (“Ballot Types”)

**Title:** Processing of Digital Ballot Images

### Statement of Work

Employ EchoMail to analyze approximately up to 25,000 Ballot Images. The Ballot Images are defined to be those images that are produced from the scanning of paper ballots by the County during the Election from their election management system (“EMS”) . EchoMail will perform image analysis of the Ballot Images to calculate the vote counts for the Races. These vote counts will be compared with the Cast Vote Records (“CVR”). A formal report will be submitted of the findings.

County Provided Data - County will provide ECHOMAIL the following data:

1. Ballot images from EMS in a commonly used digital format e.g. TIFF;
2. CVR database;
3. Ballot Types templates, each pre-encoded by County for Races

County is expected to provide the above data to ECHOMAIL, ideally shipped on a hard drive. Other methods may be used; however, unless the data is not substantially large upload and download times may be significant. ECHOMAIL will provide training to Volunteers on how to encode a Ballot Type template.

ECHOMAIL Processing – EchoMail will perform the following processing on each ballot image per ballot type:

1. Use the Ballot Type information provided by County to process a Race
2. Pre-process i.e. auto-align, size calibrate, etc. the ballot image
3. Identify choices for each of the Races
4. Store results in relational database for reporting and analysis

ECHOMAIL Deliverables - EchoMail will deliver the following data:

1. Tabulated counts for Races
2. Comparison of EchoMail tabulated counts with that reported in CVR for Races

### Pricing Schedule

Part Number	Part Description
	<b>Professional Services</b>
EM-DW-IMG-SETUP	Setup of EchoMail Data Warehousing for Image Processing including receipt and uploading of all Ballot Images
EM-RPT-Services	Preparation of Final Report for submission to Attorney General or Election Official.
EM-PS-PROJ-MGT	Project Management



	<b>Licenses</b>
EM-BI-10EPU-SVR	EchoMail Ballot Image Processing Server (up to 10 EPU <sup>1</sup> )

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<sup>1</sup> One (1) EPU equals for 10,000 Ballot images.



## SCHEDULE C

**Effective Term:** January 1, 2022 – May 1, 2022

**County:** Otero County (“County”)

**Election:** 2020 General Election (“Election”)

**County:** Otero County (“County”)

**Est. Number of Voters:** 25,000 +/- 10%

**Number of Races:** TBD (“Races”)

**Number of Ballot Types:** TBD (“Ballot Types”)

**Title:** Paper Ballot Scan Comparison with Ballot Images

### Statement of Work

This Statement of Work assumes that Ballot Image processing has been completed through another Schedule. For this Statement of Work, ECHOMAIL will receive scanned versions of the Paper Ballots (“Paper Ballot Scans”) from County. EchoMail will perform image analysis of the Paper Ballot Scans to calculate the vote counts for the Races. These vote counts will be compared with the Cast Vote Records (“CVR”). ECHOMAIL will perform Image processing to determine the paired Paper Ballot Scan with its Ballot Image, and then evaluate if the vote counts across the pair are the same; and if not, will denote the discrepancies. A formal report will be submitted of the findings.

County Provided Data - County will provide ECHOMAIL the following data:

1. Paper Ballot Scans in a commonly used digital format e.g. TIFF;
2. CVR database (if not already provided from previous Schedule)
3. Ballot Types templates, each pre-encoded by County for Races (if not provided from previous Schedule)

County is expected to provide the above data to ECHOMAIL, ideally shipped on a hard drive. Other methods may be used; however, unless the data is not substantially large upload and download times may be significant. ECHOMAIL will provide training to Volunteers on how to encode a Ballot Type template.

ECHOMAIL Processing – EchoMail will perform the following processing on each Paper Ballot Scan per ballot type:

1. Use the Ballot Type information provided by County to process a Race
2. Pre-process i.e. auto-align, size calibrate, etc. the Paper Ballot Scan
3. Identify choices for each of the Races
4. Identify the Ballot Image pair for a Paper Ballot Scan
5. Compare the results of the Ballot Image with the Paper Ballot Scan
6. Store results in relational database for reporting and analysis

ECHOMAIL Deliverables - EchoMail will deliver the following data:

1. Tabulated counts for Races for the Paper Ballot Scans
2. Comparison of EchoMail tabulated counts of Paper Ballot Scans with that reported in CVR for Races
3. Comparison of the Paper Ballot Scan Races tabulation with the Ballot Images tabulation.

### Pricing Schedule





Part Number	Part Description
	<b>Professional Services</b>
EM-DW-IMG-SETUP	Setup of EchoMail Data Warehousing for Image Processing including receipt and uploading of all Paper Ballot Scans
EM-RPT-SRVICES	Preparation of Final Report for submission to Attorney General or Election Official.
EM-PS-PROJ-MGT	Project Management
	<b>Licenses</b>
EM-BI-10EPU-SVR	EchoMail Paper Ballot Scan Processing Server (up to 10 EPU <sup>1</sup> )
EM-BI-10EPU-SVR	EchoMail Comparison Procesing of Paper Ballot Scan with Ballot Images (up to 10 EPU <sup>1</sup> )

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<sup>1</sup> One (1) EPU equals for 10,000 Paper Ballot Scans



## SCHEDULE D

**Effective Term:** January 1, 2022 – May 1, 2022

**County:** Otero County (“County”)

**Election:** 2020 General Election (“Election”)

**Est. Number of Envelopes:** 6,000

**Title:** Return Ballot Envelope Signature Presence Detection

### Statement of Work

This project aims to perform an EchoMail® Pattern Recognition Classification to determine presence of Blanks, Scribbles, and Signature on Return Ballot Envelope Images.

County Responsibilities - County will:

- 1) Provide envelope images from the County for the Election
- 2) Ensure envelope images are delivered via postal mail on a hard drive or uploaded to a secure repository for ECHOMAIL to download

ECHOMAIL Processing – EchoMail will perform the following processing on each envelope image:

- 1) Pre-process i.e. auto-align, size calibrate, etc. the envelope image
- 2) Detect if a signature does not exist on an envelope
- 3) Tabulate the total number of envelopes with and without signatures

ECHOMAIL Deliverables - EchoMail will deliver the following:

- 1) Total number of envelopes with blank signatures (pixel density is 0% to 0.1%)
- 2) Total number of envelopes with potential scribbles (pixel density is 0.1% to 1%)
- 3) Total number of envelopes with potential signatures (pixel density is greater than 1%)
- 4) Images of Return Ballot Envelopes containing no signatures

NOTE: Deliverables are dependent on County providing data in a timely manner.

### Pricing Schedule

Part Number	Part Description
	<b>Professional Services</b>
EM-BI-SETUP	Setup EchoMail Business Intelligence Server
EM-RPT-SERVICES	Data Reporting Services
EM-PS-PROJ-MGT	Project Management
	<b>Licenses</b>
EM-BI-10EPU-SVR	EchoMail Business Intelligence Server (up to 10 EPU <sup>1</sup> )

<sup>1</sup> One (1) EPU equals the processing of up to 10,000 images.



## SCHEDULE E

**Effective Term:** January 1, 2022 – May 1, 2022

**County:** Otero County (“County”)

**Election:** 2020 General Election (“Election”)

**Est. Number of Envelopes:** 2,500

**Title:** Ballot Envelope Signature Verification Error Determination

### **Statement of Work:**

This project aims to perform an independent calculation of the error rates of the Count’s Signature Verification by employing EchoMail’s pattern recognition classification capabilities to determine how many of the signatures on unique EVB return envelopes would be classified as “Good Signatures” or “Bad Signatures” before any curing process is executed.

### County Responsibilities – County shall provide the following to EchoMail:

- 1) Provide all EVB return envelope images in – full size – format for the County in the Election
- 2) Provide Voter Registration file containing for each voter, their name, voter-ID, address, etc. including the digital image of the voter’s signature or take direction from ECHOMAIL in acquiring the statistically significant number of signature images from other publicly available source.
- 3) The Standardized Operating Procedure (SOP) and/or the algorithms used by County for Signature Verification

### ECHOMAIL Processing – EchoMail will perform the following processing:

- 1) If the algorithm used by County is provided, implement the algorithm into EchoMail’s system; and, if not, deploy EchoMail® Signature Matching Process;
- 2) For a particular voter-ID, pre-process i.e. auto-align, size calibrate, etc. the EVB return envelope image to extract the Signature Region and the signature of the voter in that Signature Region;
- 3) Execute feature extraction on signature extracted from Signature Region of EVB return envelope image to acquire the signature image alone;
- 4) For a particular voter-ID, pre-process i.e. auto-align, size calibrate, etc. each digital image of a signature from Voter Registration file or the public source to extract the signature alone;
- 5) Execute feature extraction on the signature from the Voter Registration file or public source to acquire the signature image alone;
- 6) Perform signature matching analysis either using the 27-point algorithm or EchoMail’s Signature Matching Process; and,
- 7) Categorise the signature matches as either “Good Signature” or “Bad Signature” based on specified thresholds.

### ECHOMAIL Deliverables – EchoMail will deliver the following:

- 1) A report of signature matches across a statistically determined sample
- 2) Segmentation of the signatures categorized as “Bad Signatures”
- 3) An image library containing for each EVB return envelope image, its related image in the Voter Registration file or public source



**Pricing Schedule**

<b>Part Number</b>	<b>Part Description</b>
	<b>Professional Services</b>
EM-BI-SETUP	Setup EchoMail Business Intelligence Server
EM-RPT-SERVICES	Data Reporting Services
EM-PS-PROJ-MGT	Project Management
	<b>Licenses</b>
EM-BI-10EPU-SVR	EchoMail Business Intelligence Server (up to 10 EPU <sup>1</sup> )

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<sup>1</sup> One (1) EPU equals the processing of up to 10,000 images.

**Regular Meeting**

**November 18, 2021**

The Board of County Commissioners, in and for the County of Otero, State of New Mexico met in a Regular Meeting at the Administration Building in Alamogordo, County and State aforesaid. The meeting was called to order by the Chairman at 9:00 a.m., November 18, 2021; and he announced that reasonable notice for this meeting was given to the Alamogordo Daily News and radio stations, KYEE, KZZX and KINN.

**Present:**

Gerald Matherly	Chairman
Couy Griffin	Vice Chairman
Vickie Marquardt	Member
Pamela Heltner	County Manager
R.B. Nichols	County Attorney
Sylvia Tillbrook	Executive Assistant
Julianne Hall	Finance Director
Debora Williford	Deputy Clerk

**Roll Call was taken as follows:**

Gerald Matherly	Present
Couy Griffin	Present
Vickie Marquardt	Present

Commissioner Griffin gave the Invocation. Commissioner Matherly led the Pledge of Allegiance and Salute to the Flag of the State of New Mexico.

**Approval of Agenda**

**Commissioner Matherly made a motion to approve the agenda. Commissioner Marquardt seconded the motion. A vote was taken and the motion passed unanimously.**

**1. Department Reports**

**Sheriff's Office**

**Sheriff David Black** stated that the Sheriff's Office responded to 2,522 calls for service in the month of October. **Investigative report:** 182 reports, 98 traffic citations, 64 crash investigations with 54 arrests.

**Narcotics report:** 4 arrests, 37 case reports, 5 Border Patrol Checkpoint cases, 122 grams of meth, 45 illegal prescription pills, 4 LSD pills, and 26 grams of fentanyl. There were \$15,000 worth of illegal narcotics seized.

We have four certified deputies that are ready to work with the area schools.

We attended several trunk or treat events. DARE classes are underway at several schools and taught once a week.

The Otero County Narcotics Division was a recipient of the Crimestoppers yearly award.

He said he gave a don't "Don't Meth with Us" presentation to the Tularosa Kiwanis Club in hopes of getting this program in the Tularosa schools.

They are attending various meetings throughout the state as part of the council working on the standards that are required to become an accredited agency.

All trainings are completed.

Corporal Livingston has retired.

1 full time and 2 part time dispatcher positions are available.

2 deputies are attending our pre academy program.

Commissioners Matherly and Marquardt expressed their appreciation to the Sheriff's Department and their hard work.

Commissioner Griffin encouraged Sherriff Black to please attend area meetings about mandates and school board meetings.

### **Emergency Services**

**Matt Clark, Emergency Services Director** stated for October the Fire Department responded to 224 calls with 201 being EM5 and 10 fire calls with 3 being structure fires.

There were 40 code violation cases opened, completed 68 follow-ups, and closed 8 of those cases.

We had 13 overdose calls with 4 fentanyl, 1 prescription drug, 2 unknown opioid, 4 meth, 1 heroine, and 2 unknown.

AMR had 31 alcohol and drug overdose runs with 16 being alcohol, 2 over the counter and prescription 3 fentanyl, 5 opioids of undetermined source, 3 heroine, 1 oxycodone, and 1 methamphetamine. There is a rise in overdose cases.



Commissioner Matherly asked about the code violation cases and their origin. Matt stated they were mostly trash calls in Chaparral and Timberon.

Canyon Place is still an issue with code violations and we are continually working on the issues.

The 3 Rivers fire is an on-going investigation with no updates. Commissioner Griffin stated he would like someone from the Forest Service at next month's meeting to provide an update.

#### **Road Department**

**Tom Porter, Road Department Superintendent** stated that the County has cleaned most of the mountain roads due to flooding this past summer.

Karr Canyon and West Side Road patching has been completed; other areas will continue to be completed.

Commissioner Griffin stated meetings were held with the State of New Mexico to discuss flooding issues on highway S4.

Commissioner Matherly stated he is concerned about the ditches and wants to get them cleaned as soon as possible. Tom stated that they do not have the equipment or man power to get to everything and cleaned before the snow season begins. One problem is there are no weeds or growth until the rains and then it is too wet to mow and clean.

Gwinna Rees stated the County has created flooding problems and now expects private home owners to pay for the problem.

#### **Detention Center**

**Carolyn Barela, Correctional Director** stated the population today is 191 with 160 in the facility; with 131 males and 29 females. There are 8 at the Otero Prison facility, and 15 at Hudspeth County. There are 3 male juveniles currently at the Bernalillo County facility.

Attempted contraband for October was 3 mailings of suboxone, and 1 PCP.

They are currently down 23 employees.

Scheduled visitations have begun and is going well.

Commissioner Griffin asked if any of the inmates were illegal; Carolyn stated there were not any at this time and Sheriff Black stated it is against Federal law to ask legal status.

Commissioner Matherly stated he wants to know what we can do to get people to work. Carolyn stated that they utilized the radio but it is expensive and didn't produce any applicants.

Ms. Barela asked for a process to give them an alert in the front office lobby when someone is present. Due to construction this area is open and should be restricted.

**Project Manager**

**Trent Parker, Project Manager** stated that the Detention Center Admin south addition is completed. There was an oversight for completion of some of the detention center projects and it will take 4 weeks instead of 2 and be completed in 2 phases. This will not extend the overall project and no days will be added to the contract.

The Detention Center kitchen is complete. The kitchen addition will be completed by the end of December.

The medical addition is in process; the whole project was extended with target completion project date of May, 2022.

The Detention Center has issues regarding court hearings taking place in 2 locations and with construction there will be a tremendous amount of noise that could cause delays.

The Timberon Fire Station exterior is complete and the project completion is scheduled for February 2022.

Sunspot is complete, CHINS phase 3 funding has been granted and received architecture drawings to begin and the EOC scheduled to receive all bid documents by January 6, 2022.

Commissioner Matherly asked about the court hearings and if there was somewhere else in the building they could be held. Mr. Parker stated until the medical addition is complete there is nowhere else for them to be held. Ms. Barela stated a portable building in the recreation yard could be fenced off and utilized.

**2. Consent Agenda:**

Commissioner Matherly read the items on the Consent Agenda.

**Commissioner Matherly made a motion to approve the consent agenda as previously read. The motion was seconded by Commissioner Marquardt. A vote was taken and the motion passed unanimously.**

**3. Scheduled Citizen Communications:**

- a. **Sheila Coco** – Otero County Fair Association gave an update on the 2021 fair.

There were 45,000 attendees with only 38,000 the previous year.



Junior livestock sales hit record numbers over \$300,000.

The light towers purchased by the County were used by the new pedestrian bridge and help make it safer for attendees. Lighting in the parking lot is making it safer for all attendees.

The new bathroom updates from the County were nice and appreciated.

There were 50% less vendors at the fair this year as hotels were not available.

The fair board would like to look at capital outlay for next year for the parking lot that has major pot holes and is in bad shape. The ADA came before the election and the parking lot was not in compliance. The voters were allowed to utilize the parking area right inside the gate to make it safe; however, this is not an ideal situation for pedestrians walking in that area.

The cost is \$5,500 per month to maintain the facility and we want to keep the fair free in the future. We need more participation with vendors and events.

The Sheriff's Department was present and were a tremendous help and we hope to have them each year. Sheriff Black stated they would help next year.

b. **James Wimberly** – manager of the water company at Eileen Acres representing the homeowners stated he is following up from a previous meeting with a slide show of 4 abandoned mobile homes that need to be cleaned up before someone gets hurt or something burns up.

Mr. Wimberly noted that the County has a new attorney and steps are being taken to look at what can be done legally to enact an ordinance.

Rachel Black, Chief Deputy Treasurer stated that 30 homes in 39 lots at Eileen Acres are dilapidated but only 2 are in delinquent status and available for public auction. Ms. Black stated that the Commission Board should regard the private property laws before enacting an ordinance.

Mr. Wimberly asked if the Commissioners would write a letter to the homeowners that might prompt them to take action.

Jacob Block, Code Enforcement stated this is a case to go before the County Attorney R.B. Nichols to see how to move forward. Code enforcement has made several attempts to contact property owners.

R.B. Nichols, County Attorney stated he would reach out to other counties for their process and provide a resolution to solve this issue.

c. **Gwinna Rees** – stated she was only allowed to vote for 2 items in the Local Election.



She stated "It is not fair to pay taxes and not be allowed to vote on city issues that affect the county residents. I spend my money in the city but since I live in the county, I have no say so on city issues".

R.B. Nichols, County Attorney stated you can only vote for those issues that are in your district. Your residence determines where you vote and that is districted by the State of New Mexico.

d. **Gary Stone** – President of Otero County Cattleman's Association discussed the Lincoln National Forest plans and draft of the Environmental Impact Statement, more specifically "lands with wilderness characteristics". Mr. Stone read a statement regarding the issues and problems this plan and draft will create and specifically not including the County Commissioners or residents in the process.

Commissioner Griffin stated that as the board, we are allowed to comment but have no opportunity to coordinate the plan.

Mr. Joe Aday, stated he is one of the 6 allotment owners with the Forest Service and is concerned and has had meetings with Diane Prather and Travis Mosely, Supervisor, who will actually make the recommendation for the plan. There is an ordinance in place by the Commission to stop the enactment. The Forest Service plan does not meet the criteria for wilderness characteristics as there are roads and structures already in place.

Commissioner Matherly would like all cooperating agencies to meet and discuss this plan and the outcomes.

Mr. Stone is asking a Commission board member to attend the next Cattle Growers Association property session in Chaves County in December. Commissioner Griffin stated he would attend.

Mr. Cooper, an allotment owner, commented about the severity of this plan and how it will affect owners and users of the forest. Congress is the only entity that can declare this plan and once it hits Washington, it becomes political and we can't let it get that far.

Pamela Heltner, County Manager stated they would look at the calendar and set up a special meeting to further discuss the Forest Service plan issues.

e. **Erin Clements** – New Mexico Audit Force gave a presentation on election fraud in New Mexico. Ms. Clements stated she has a 261-page report with statistics that prove fraud in New Mexico.

Ms. Clements stated there is an organization called Rock the Vote that can by-pass the Secretary of State system and manipulate the registration of voters.



Ms. Clements stated that Otero County election numbers match from the 2020 General Election, however 1/3 of the counties' investigated numbers do not match. She is asking the Commission Board to conduct a thorough forensic audit of the 2020 General Election.

Robyn Holmes – County Clerk stated that all the numbers match and there are no issues of fraud in Otero County. The County Clerk's office has many checks and balances to make sure everything matches with comparing tapes, permit sheets, and ballot totals to make sure they are the same.

Commissioner Matherly asked what is a full forensic audit. Ms. Clements stated a full forensic audit includes canvass of voter rolls, paper, ballots, images, and electronic equipment.

Ms. Clements stated that an audit will cost approximately \$30,000.

Pamela Heltner, County Manager stated the county is required to get 3 quotes for the audit.

Commissioner Marquardt and Griffin would like to see an audit completed.

**Commissioner Matherly made a motion to join efforts of the New Mexico Audit Force as well as a coalition to demand election audits on the local, county level. The motion was seconded by Commissioner Griffin. A vote was taken and the motion passed unanimously.**

**4. Unscheduled Citizen Communications:**

Sylvia Tillbrook, Executive Assistant read a letter from Raquel Morris and her concerns about the rise of COVID cases.

**5. New Business:**

**a. Discuss and consider establishing standard operating procedures for the maintenance of vegetation on bar ditches and culverts in Otero County.**

Commissioner Matherly stated there is a huge weed problem with bar ditches across the county. The county bought a new mower and we need to get everything cleaned up.

Tom Porter, Road Superintendent stated the mower has not come in as John Deere is on strike. There is also the issue of not enough man power or equipment to maintain the whole county.

Commissioner Griffin asked about spraying the weeds and vegetation and Mr. Porter stated they have to be very careful of run off getting to orchards. The large areas of growth are the main focus with mowing and some spraying.

**b. Discuss and consider establishing a Code Enforcement policy.**

Commissioner Matherly stated that the County needs to have a policy in place.

Matt Clark, Emergency Services Director has looked at other counties to see what their process is and see how we can speed up the process to get a policy in place as soon as possible.

Commissioner Matherly stated we have code enforcement personnel with no codes to enforce. The county is in a mess and a policy needs to be enacted.

Mr. Clark stated there are issues with private property rights.

**c. Discuss and consider a cooperative agreement between Otero County and the Lincoln National Forest Service, to ensure a cooperative agency status for future communications.**

Pamela Heltner, County Manager stated she will reach out to Travis Mosely to set up a meeting.

**d. Request, Discuss and consider whether the Board of County Commissioners would like to enforce the Employer Covid-19 Vaccine Mandate.**

Pamela Heltner, County Manager stated this item was placed on the agenda before the halt of the mandate. Ms. Heltner stated that department managers are concerned as they are already short handed and will lose more staff if the mandate is enforced.

Commissioner Griffin stated he toured Gerald Champion Regional Medical Center and the County will assist them as they need.

Commissioner Matherly stated it is not his right to tell anyone to put something in their body and he won't do that.

Commissioner Marquardt is in agreement with the other commissioners.

**e. Request approval to reclassify the current Courthouse Corporal Supervisory position to a Sergeants Supervisory position.**

Sheriff Black stated with the retirement of Corporal Livingston, who supervised the 6-man team at the courthouse was the only Corporal in the department and a change to a Sergeant position with extensive testing would be a better fit.

**Commissioner Matherly made a motion to request approval to reclassify the current Courthouse Corporal Supervisory position to a Sergeants Supervisory position. The motion was seconded by Commissioner Marquardt. A vote was taken and the motion passed unanimously.**

Commissioner Matherly pulled item #22, request approval to reclassify a full-time custodial position in to two part time positions and will be on the agenda for next meeting.



#### **Commissioner Discussion/Correspondence**

##### **Gerald Matherly**

Commissioner Matherly stated he has taken more information to Sheriff Black on the Tulie creek problems. He would like to get another meeting set up to get this issue resolved.

He went to the Afghanistan Camp at Holloman and it was very impressive at how it is running and the cleanliness.

He had a meeting with White Sands crew for a pep talk to catch up and get things moving.

Thank you to Oro Vista, La Luz and Dunigan EMS services at the BMX races, they do a super job.

He toured the jail project and it is very impressive and will be very nice.

##### **Couy Griffin**

Commissioner Griffin stated he would like to thank the State of New Mexico for meeting about Highway 54 issues.

He met with Mr. Heckert, staff, Dr. Pollard, and Megan from the pharmacy, at the hospital. The biggest obstacle is the staffing shortage to run the hospital at full capacity. There are ICU beds available and no overloads throughout the hospital. There is a great appreciation for all the workers and their efforts. We discussed the issues with suicide, depression, addiction, and children in masks.

Commissioner Griffin stated Nicole Maxwell should not be receiving an award as she proves not to be non-partisan in her views and reporting.

##### **Vicki Marquardt**

Commissioner Marquardt stated she met with Pamela Heltner and Jim Maynard regarding some Cloudcroft issues.

She has attended 4 of the homeland security meetings and there are currently 3662 Afghanistsans at the Holloman Camp.

She toured the camp at Holloman and was very impressed at how gracious the people are, living in a tent city in the desert. The camp is offering integration classes into our laws, driving, and schools. The military has stopped the sound barrier testing as the Afghanistsans fear they are being bombed.

The Military is doing a great job and they also have U.S. Marshals in place.

**County Manager**

Pamela Heltner stated that the capital outlay is due December 8 at 10:00 a.m. and will be conducted in room 101 virtually.

A contractor was hired to work on the redistricting which is a requirement after the census was completed. No data is available yet however, in order to adopt an ordinance, a public hearing will be held with 2 weeks notice for advertising.

**County Attorney**


R.B. Nichols stated he has completed his second week on the job and is trying to get familiar with the job and getting to know people to make connections and networking

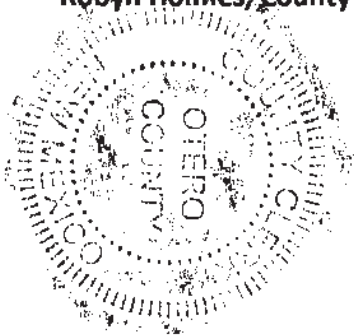
**With no further business before the Board, the meeting was adjourned at 3:30 p.m.**

**APPROVED:**

  
\_\_\_\_\_  
Gerald Matherly, Chairman

**ATTEST:**

  
\_\_\_\_\_  
Robyn Holmes, County Clerk *Chief Deputy*





**Voter Data Request Form**

Please select one of the following:

☐ Electronic File ☐ Printed List ☐ Mailing Labels**VOTER INFORMATION AUTHORIZATION****NOTE:** Minimum charge for any request is \$15.00**Please indicate the purpose of this request**

Please provide a description of your intended use of voter data:

☐ Campaign Use☐ Governmental Use**Please select the jurisdiction that you are requesting:**☐ Statewide☐ County(s) \_\_\_\_\_☐ Other: \_\_\_\_\_☐ District \_\_\_\_\_**Please indicate all information that you are requesting:****NOTE:** All files come with registrant name, address (both physical and mailing), year of birth, party affiliation, precinct assignment jurisdiction and registrant ID number. Any additional fields must be indicated below.☐ Districts  
(all districts associated with a voter)☐ Voting History  
(elections a voter has participated in)☐ Method Voted  
(i.e. absentee, early or Election Day)**Information of Requestor**

Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email Address: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Authorization**

Unlawful use of the information requested on this form shall consist of willful selling, loaning, providing access to or otherwise surrendering, duplicating or alteration of information as stated in the Voter Records System Act (§1-5-1 through 1-5-31 NMSA 1978).

I hereby swear that the requestor will not: (INITIAL EACH)

\_\_\_\_ sell, loan, provide access to, or otherwise surrender voter information received as a result of this request.

\_\_\_\_ alter voter information received as a result of this request.

\_\_\_\_ use voter information for any purpose other than those authorized on this form.

\_\_\_\_ use voter information for any commercial purposes.

**Signature of Requestor**

\_\_\_\_\_

**For Office Use Only**

Total Cost: \$ \_\_\_\_\_ Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date Completed: \_\_\_\_/\_\_\_\_/\_\_\_\_

Comments: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

From: [Curtas, Alex, SOS](#)  
 To: [Borlock, Patrick, SOS](#)  
 Subject: FW: [EXTERNAL] FW: 2020 Otero County Election Audit  
 Date: Friday, March 4, 2022 1:23:43 PM  
 Attachments: [image001.png](#)  
[image002.png](#)

Here's the full email exchange.

**Alex Curtas | Communications Director**  
 New Mexico Secretary of State Maggie Toulouse Oliver  
 325 Don Gaspar, Ste. 300 | Santa Fe, NM 87501  
 Cell: 505.469.2783 | Desk: 505.827.3613  
[alex.curtas@state.nm.us](mailto:alex.curtas@state.nm.us)

Follow us on [Facebook](#) + [Twitter](#)

**From:** Curtas, Alex, SOS <[Alex.Curtas@state.nm.us](mailto:Alex.Curtas@state.nm.us)>  
**Sent:** Friday, March 4, 2022 1:23 PM  
**To:** Maxwell, N <[nmaxwell@alamogordonews.com](mailto:nmaxwell@alamogordonews.com)>  
**Cc:** Holmes, Robyn <[rholmes@co.otero.nm.us](mailto:rholmes@co.otero.nm.us)>  
**Subject:** Re: [EXTERNAL] FW: 2020 Otero County Election Audit

Hey Nicole,

I had my team do another check to make sure we weren't missing anything. And I can confirm again that our office has no record of providing voter data to Erin Clements/Hughs or New Mexico Audit Force. Further, if any individual or organization requested and received voter data from our office and signed the required affidavit that the voter data was for a purpose authorized by law and has now utilized that data for a purpose not authorized, or made available to a 3rd party for an unlawful purpose, we intend to make a criminal referral to the AG's Office, as we have against other nefarious actors. Improperly obtaining and improperly using voter data in NM is a felony offense.

Thanks,

Alex

**Alex Curtas | Communications Director**  
 New Mexico Secretary of State Maggie Toulouse Oliver  
 325 Don Gaspar, Ste. 300 | Santa Fe, NM 87501  
 Cell: 505.469.2783 | Desk: 505.827.3613  
[alex.curtas@state.nm.us](mailto:alex.curtas@state.nm.us)

Follow us on [Facebook](#) + [Twitter](#)

**From:** Maxwell, Nicole <[NMaxwell@alamogordonews.com](mailto:NMaxwell@alamogordonews.com)>  
**Sent:** Friday, March 4, 2022 10:29 AM  
**To:** Curtas, Alex, SOS <[Alex.Curtas@state.nm.us](mailto:Alex.Curtas@state.nm.us)>  
**Cc:** Holmes, Robyn <[rholmes@co.otero.nm.us](mailto:rholmes@co.otero.nm.us)>  
**Subject:** [EXTERNAL] FW: 2020 Otero County Election Audit

**CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.**  
 I've CC'd Robyn so she can be in the loop on this.

Nicole Maxwell  
 Reporter  
 Alamogordo Daily News  
 Cell Phone 575-415-6605

**From:** erin hughes <[erin\\_hughes@yahoo.com](mailto:erin_hughes@yahoo.com)>  
**Sent:** Friday, March 4, 2022 10:11 AM  
**To:** Maxwell, Nicole <[NMaxwell@alamogordonews.com](mailto:NMaxwell@alamogordonews.com)>  
**Subject:** Re: 2020 Otero County Election Audit

Thank you for clarifying, Nicole. The answer is no. I'm not using the web-based source. I am using the SOS's original voter registration database which was provided directly by her office.

I'm merely pointing out that the SOS apparently provides the same voter database to these people who run this website. And these people publish the whole thing online with a lot more personal information than we ever show anyone. So, it's hard for her to pretend she has a problem with our canvassing process, when she is apparently ok with the data being made public and accessible by anyone who may or may not have legitimate intentions.

I'm glad you'll still join us. I will send out an email and ask if there is a volunteer who would be willing to talk about their experiences and have you join them as they complete canvassing a packet. I may not have an answer by our canvass tomorrow - but I'm pretty sure I can have something set up for next Saturday.

Thank you,  
 Erin

On Friday, March 4, 2022, 09:40:01 AM CST, Maxwell, Nicole <[nmaxwell@alamogordonews.com](mailto:nmaxwell@alamogordonews.com)> wrote:

Erin,

So this is the source you're using or that you're checking info against? Just trying to be as accurate as possible.

I had no idea there that many Nicole Maxwells floating around truth be told.

Also, without camera, I would like to hang with the canvassers one day to see what they are doing and possibly to talk to them about their experiences so far. Identities can be left anonymous. Like: "B is a canvasser here's hi take on things..." That sort of thing. Just let me know when and where.

Thanks again,

Nicole Maxwell  
 Reporter  
 Alamogordo Daily News  
 Cell Phone 575-415-6605

**From:** erin hughes <[erin\\_hughes@yahoo.com](mailto:erin_hughes@yahoo.com)>  
**Sent:** Friday, March 4, 2022 8:26 AM  
**To:** Maxwell, Nicole <[NMaxwell@alamogordonews.com](mailto:NMaxwell@alamogordonews.com)>  
**Subject:** Re: 2020 Otero County Election Audit

Ok. Due to safety concerns that have arisen due to intimidation directed at our canvassers, I don't think it's wise to publish photos.

If I could direct your attention to one other thing. If you go to the website <https://votersf.com/> and type in your name, find yourself on the list that comes up, and click on your name, you'll get the following page:

https://voteref.com/voters/a9c86c08-f46e-4122-a879-621153f6e05

**VoteRef.com**

RETURN TO SEARCH

Home > Registered Voters > New Mexico > Dona Ana > LAS CRUCES > ERIN ANNE CLEMENTIS

Election	Recorded Vote	State	County	Precinct
2020 General Election	<a href="#">View</a>	New Mexico	Not Provided by State	Not Provided by State

The information on this website about this voter, including records of this voter's voting history, was provided to **Voter Reference Foundation LLC ("VRF") by the New Mexico Secretary of State's Bureau of Elections ("Bureau") on April 15, 2021. The information is publicly available [here](#).** The information published here by VRF appears exactly as provided by the Bureau. By publishing Bureau records verbatim, VRF does not state, represent, suggest, or imply that this voter voted or that this voter's ballot was counted or not counted. Additionally, the registration information of any voter who is in the Safe At Home program (hereinafter referred to as a "protected voter") must be removed from the publicly available voter list by the New Mexico Secretary of State. If you believe the information provided to VRF by the Bureau is inaccurate, or if you believe that you or any person listed on VoteRef.com is a protected voter whose protected information should not appear on VoteRef.com, please immediately contact the Bureau by emailing [sos.elections@state.nm.us](mailto:sos.elections@state.nm.us) or calling 505-827-3600. For assistance with the process of becoming a protected voter, click [here](#) (Safe At Home program). Upon receipt of official documentation confirming your or any person's protected voter status sent to us at [privacy@voteref.com](mailto:privacy@voteref.com), VRF will remove the protected information from VoteRef.com.

Registration Address  
[Redacted]

Registration Date  
[Redacted]

Birthdate  
[Redacted]

Party Affiliation  
[Redacted]

Registration Status  
Active

Precinct  
[Redacted]

All data from New Mexico Secretary of State

Voter [Redacted] New Search...

Note that this website publishes your name, address, birth year, precinct, party affiliation, registration date, and whether or not you voted. The site claims to have been given all this data by the NM Secretary of State's Office. Also note that anyone could type your name into this website and get that information. We put more limited information than the SOS is currently making accessible to everyone in the world on a form that no one but myself and the canvassers at the door will see. The SOS claims of having concerns about private information being shared by our canvass appear to be nothing more than a smear campaign against people who are simply trying to determine the health of the voter registration database that she maintains.

Thank you,  
Erin Clements

On Friday, March 4, 2022, 08:48:02 AM CST, Maxwell, Nicole <[nmaxwell@alamogordonews.com](mailto:nmaxwell@alamogordonews.com)> wrote:

Thanks. Have a god one.  
The primary reason for me asking to go with the canvassers was to get photos.  
Thanks again.

Nicole Maxwell  
Reporter  
Alamogordo Daily News  
Cell Phone 575-415-6605

From: erin hughes <[erin\\_hughes@yahoo.com](mailto:erin_hughes@yahoo.com)>  
Sent: Friday, March 4, 2022 7:44 AM  
To: Maxwell, Nicole <[nmaxwell@alamogordonews.com](mailto:nmaxwell@alamogordonews.com)>  
Subject: Re: 2020 Otero County Election Audit

The list of voters came from the Secretary of State.

I'd also like to draw your attention to the Otero County Commission meeting minutes from November 18, 2021 where the Otero County Commission unanimously voted to "join efforts with New Mexico Audit Force as well as a coalition to demand election audits on the local, county level."

So when our canvassers say they're assisting the county by canvassing the rolls. That's 100% accurate and in accordance with the resolution passed by the Commissioners. Just like our canvassers have been saying.

Thank you,  
Erin Clements  
On Friday, March 4, 2022, 08:35:18 AM CST, Maxwell, Nicole <[nmaxwell@alamogordonews.com](mailto:nmaxwell@alamogordonews.com)> wrote:

Erin,  
Thanks for getting back to me so quickly. One more question. Where did the list of voters your group are using for the canvass come from?  
Thanks,

Nicole Maxwell  
Reporter  
Alamogordo Daily News  
Cell Phone 575-415-6605

From: erin hughes <[erin\\_hughes@yahoo.com](mailto:erin_hughes@yahoo.com)>  
Sent: Thursday, March 3, 2022 6:01 PM  
To: Maxwell, Nicole <[nmaxwell@alamogordonews.com](mailto:nmaxwell@alamogordonews.com)>  
Subject: Re: 2020 Otero County Election Audit

Nicole,  
Thank you for reaching out.

I have attached a training document we use to train our canvassers. You will also find a sample form that our canvassers fill out for each address where the residents agree to participate in a voluntary survey. You will see that there is less personal information on the form than you will find in a simple online phonebook search. There is no information pertaining to race or political affiliation.

We typically spend half an hour to an hour training each canvasser. We work in pairs and try to pair new people up with those who have experience so there is often another 2-hours of on-the-job-training following our initial training before getting started. We stress we are never to ask who a person voted for, simply how they cast a ballot - early in person, absentee, or in-person on election day to check against the voter rolls. We are not to engage in any kind of political conversation, and if a person doesn't want to participate or becomes hostile, we smile, thank them, and walk away. We consult with law enforcement on a regular basis.

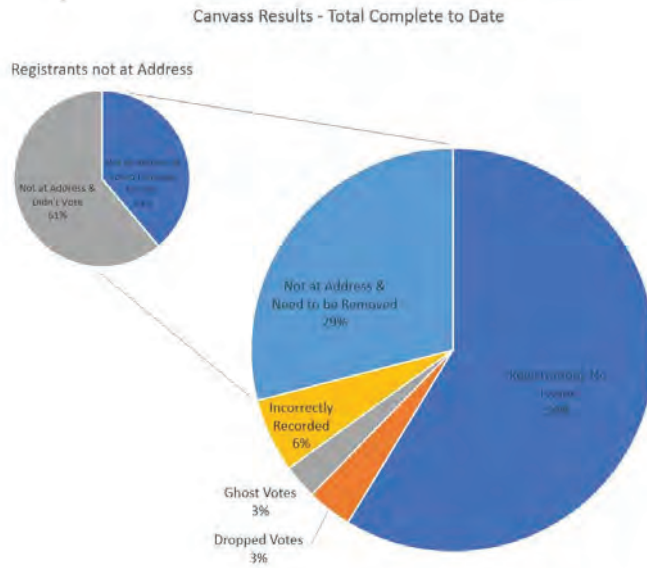
Recent alleged complaints against the Otero canvass appear to be coordinated and lodged by political operatives, creating false narratives that the canvassers cannot mention that the county commissioned the audit. I would draw your attention to the Otero County Commission meeting minutes dated November 18, 2021. You will find that the Commission unanimously passed a resolution to join New Mexico Audit Force through a coalition effort to audit/canvass Otero County.

Regardless of the explicit authorization to audit/canvass, at no time do the canvassers ever state they are employees of the county, but rather state they are volunteers assisting the county to check the accuracy of the voter rolls. This is entirely consistent with the County's resolution.

One particular example of a frivolous complaint was brought by Amy Buckley. Buckley claimed to be "intimidated" in a tick-tock video that the SOS referenced, yet voluntarily agreed to participate in the optional survey as our canvassers requested. In fact, Buckley let our canvassers know that one of the people registered to vote at her address has not lived there in years. So, there are questions concerning Buckley's veracity of feeling intimidated since she chose to participate in the voluntary survey and her answers support our findings that the voter rolls are out of date at best.

More egregious is that Buckley published my name and phone number (which is not publicly available) at the end of the tick-tock video which has been referenced by the SOS. That has resulted in me receiving at least two dozen threatening messages (including death threats) which are being investigated by the Otero County Sheriff and the FBI. Three of our canvassers have been harassed both out in public and online as well.

Our canvass is showing that there are significant problems with the Here is a summary of the results of our canvass current as 2/26/2022:



We'd be pleased to have you join a canvassing team to see our process, however we cannot allow you to take pictures, report names of any of our canvassers, or report where we meet because of the harassment and death threats that we are receiving. If those terms are acceptable to you, please let me know and I can provide you with more details on how you can join us. We canvass on Saturday mornings.

Please let me know if you have any additional questions.

Sincerely,  
Erin Clements  
575.680.4004

On Thursday, March 3, 2022, 03:49:32 PM CST, Maxwell, Nicole <[nmaxwell@alamogordodailynews.com](mailto:nmaxwell@alamogordodailynews.com)> wrote:

Erin,

I am a reporter with the Alamogordo Daily News. I have a few questions for you. First is I would like to see, if possible, the training materials and list of questions the canvassers are asking Otero County residents. I would also like to join the canvassers one day for maybe an hour or so just to see how it is done and to get some photos of the canvassers in action.

Thanks,

Nicole Maxwell  
Reporter  
Alamogordo Daily News  
Cell Phone 575-415-6605